

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Pykett, et al.
Serial No: 10/088,826
Filed: March 22, 2002
Conf. No. 5264
For: METHODS AND DEVICES FOR OBTAINING NON-HEMATOPOIETIC
LINEAGE CELLS FROM HEMATOPOIETIC PROGENITOR CELLS
Examiner: Not Yet Assigned
Art Unit: Not Yet Assigned

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to: Box PCT, Commissioner for Patents, Washington, D.C. 20231, on the 8th of August, 2002.

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WASHINGTON, D.C. 20231

**STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants request consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed before the mailing date of a first Office Action on the merits in the above-identified case.

No fee or certification is required.

PART II: Information Cited

Applicants hereby make of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

PART III: Remarks

Documents cited on the attached form PTO-1449 (modified) are enclosed unless otherwise indicated on the attached form PTO-1449 (modified). It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
634177.1

2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;

The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, Applicants make no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, Applicants make no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, Applicants make no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by Applicants, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully Submitted,

Konstantinos Andrikopoulos

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C01005/70008 (ERG/KA)

Date: August 8, 2002

x08/08/02

FORM PTO-1449(Modified)		ATTY. DOCKET NO.: C01005/70008	SERIAL NO.: 10/088,826
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT		APPLICANT: Pykett, et al.	
		FILING DATE: March 22, 2002	GROUP: Not yet assigned

U.S. PATENT DOCUMENTS

Exam Init	Ref Des	Document No.	Date	Name	Class	Sub Class	Filing Date If Appropriate

FOREIGN PATENT DOCUMENTS

		Country & Doc. No. (11)	Pub. Date (43)		Class	Sub Class	Translation Yes No
	B1	WO 99 15629	04/99	PCT			
	B2	WO 99 26644	06/99	PCT			
	B3	WO 99 64565	12/99	PCT			
	B4	WO 00 17326	03/00	PCT			
	B5	WO 01 11011	02/01	PCT			

OTHER ART

(Including Author, Title, Date, Pertinent Pages, Publication, Etc.)

C1		Bagley, et al., "Extended culture of multipotent hematopoietic progenitors without cytokine augmentation in a novel three-dimensional device", <i>Experimental Hematology</i> 27, pp. 496-504 (1999)
C2		Banu, et al., "Targeted differentiation of CD34+ progenitors in a three-dimensional matrix", <i>Blood</i> 94(7), pg. 162b (1999)
C3		Banu, et al., "Neuronal mesenchymal and hematopoietic cell derived from CD34-Lin- cell from adult bone marrow", <i>Experimental Hematology</i> 28(7), pp. 46-47 (2000)
C4		Cheng, et al., "Human Mesenchymal stem cell support proliferation and multilineage differentiation of human hematopoietic cells", <i>Blood</i> 92(10), pg. 57A (1998)
C5		Gussoni, et al., "Dystrophin expression in the <i>mdx</i> mouse restored by stem cell transplantation", <i>Nature</i> 401, pp. 390-394 (1999)
C6		Saltus, "Cell therapy may help fight muscle disease", <i>Boston Globe</i> , A4, September 23, 1999.
EXAMINER		DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered.

Include copy of this form with next communication to applicant